

EXHIBIT JN8

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Attorneys Specially Appearing For Defendants
DHI Mortgage Company, Ltd., Michael Mason,
Daniel Callihan and Annie Schankin

FILED
San Francisco County Superior Court
JAN 11 2007
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CLERK
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO
UNLIMITED JURISDICTION

PATRICE A. MISSUD,
Plaintiff,

vs.

DR HORTON, A CORPORATION; DHI
MORTGAGE, A CORPORATION;
MICHAEL MASON, AGENT OF DHI
MORTGAGE; DANIEL CALLIHAN,
AGENT OF DHI MORTGAGE; ANNE
SCHANKIN, AGENT OF DR HORTON,

Defendants.

Case No. CGC 05-447499

**[PROPOSED] ORDER SUSTAINING
MOTION TO QUASH SERVICE OF
SUMMONS AND COMPLAINT**

Date: January 11, 2007
Time: 9:30 a.m.
Dept: 301
Judge: Hon. Peter J. Busch

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ORDER SUSTAINING MOTION TO QUASH SERVICE OF SUMMONS AND COMPLAINT

1 After full consideration of the Motion to Quash Service of Summons and Complaint
2 and/or to Stay or Dismiss on the Grounds of *Forum Non Conveniens* filed by defendants DHI
3 Mortgage Company, Ltd., Michael Mason, Daniel Callihan and Annie Schankin ("Defendants"),
4 the papers submitted by the parties in support and in opposition thereto, and the arguments of
5 counsel,

6 IT IS HEREBY ORDERED, DECREED AND AJUDGED that:

7 1. Defendants' Motion to Quash Service of Summons and Complaint ("Motion to
8 Quash") is SUSTAINED.

9 2. The Court finds that plaintiff has failed to effect proper service of process on
10 defendant Annie Schankin and, in any event, plaintiff has failed to demonstrate personal
11 jurisdiction over said defendant. Accordingly, Defendants' Motion to Quash is SUSTAINED as
12 to defendant Annie Schankin for failure to effect proper service of process and lack of personal
13 jurisdiction.

14 3. The Court finds that plaintiff failed to demonstrate personal jurisdiction over
15 defendants DHI Mortgage, Michael Mason and Daniel Callihan. There is no general jurisdiction
16 and Defendants' calls and letters from Nevada in the course of negotiating a possible loan
17 application does not create special jurisdiction. Accordingly, defendants' Motion to Quash is
18 SUSTAINED as to defendants DHI Mortgage, Michael Mason and Daniel Callihan for lack of
19 personal jurisdiction.

20 4. Pursuant to Code of Civil Procedure sections 418.10 and 581(h), the Clerk of the
21 Court is hereby directed to enter forthwith a dismissal, without prejudice, of plaintiff's entire
22 complaint as to remaining defendants in this action, DHI Mortgage, Michael Mason, Daniel
23 Callihan, and Annie Schankin.

24
25 Dated: 1/11/07

Pete JB
Judge of the Superior Court
PETER J. BUSCH